

## EUROPE

# Lufthansa Says Germanwings Pilot Reported Deep Depression

By **NICHOLAS KULISH** and **JACK EWING** MARCH 31, 2015

DÜSSELDORF, Germany — The co-pilot at the controls of the German jetliner that crashed in the French Alps last week informed Lufthansa in 2009 that he had suffered from severe depression, the company said Tuesday.

Lufthansa said a search of its records found an email showing that the co-pilot, Andreas Lubitz, had informed the company of his condition as he was seeking to rejoin its training program after an absence of several months.

The airline said in a statement that Mr. Lubitz had sent its flight training school the email, which included medical documents describing a “previous episode of severe depression.” Lufthansa is the parent company of the budget Germanwings airline that operated the jet that crashed on March 24.

Lufthansa said it had now turned the information over to the German prosecutor investigating the crash, in which Mr. Lubitz and the other 149 people aboard the plane were killed.

It was the first acknowledgment by Lufthansa that it knew of Mr. Lubitz’s mental health issues before the crash, and raised further questions about why the airline had allowed Mr. Lubitz to complete his training and go on to fly passenger jets.

Prosecutors in Germany said Monday that he had been treated for suicidal tendencies but did not say when, and Lufthansa’s statement did not address when Mr. Lubitz’s depression had occurred, what treatment he might have received or what, if any, follow-up there was with Mr. Lubitz by the airline.

Lufthansa’s statement on Tuesday came five days after its chief executive,

Carsten Spohr, a former pilot, said the airline had found Mr. Lubitz to be “100 percent flightworthy without any limitations.”

Mr. Spohr said last week that candidates for flight school were chosen not only on the basis of their technical ability but also for their psychological fitness. He said Lufthansa’s screening process was considered state of the art, “and we’re very proud of it.”

Police officers who searched through Mr. Lubitz’s apartment in Düsseldorf on Thursday found doctors’ notes that said Mr. Lubitz was too sick to work, including on the day of the crash. One had been torn up and thrown into the trash, leading investigators to conclude that he was hiding his medical problems from the airline.

Lufthansa said it had decided to readmit Mr. Lubitz to pilot training after he passed the company’s medical and psychological tests and was found to be healthy. Coming after a serious bout of depression, however, that decision is sure to receive significant scrutiny.

“Lufthansa will continue to provide the investigating authorities with its full and unlimited support,” the company said in its statement, but it would not provide additional comment on the matter “because we do not wish to anticipate the ongoing investigation by the Düsseldorf public prosecutor.”

The families of some, if not all, of the victims are also likely to sue the airline for compensation over the deaths of their loved ones. Under the 1999 Montreal Convention, airlines are liable for almost any crash, whether it is caused by pilot error, negligence or a deliberate act.

For an airline to escape liability, it must prove it was entirely free of blame. This standard is nearly impossible to meet, and cases are usually settled out of court.

“It certainly makes it harder for the airline to prove they weren’t negligent,” said Daniel O. Rose, a partner at Kreindler & Kreindler, a New York-based law firm specializing in aviation litigation.

The statement by the airline acknowledging that it had been informed of Mr. Lubitz’s depression raises the possibility of criminal proceedings in Germany or France against the airline or its executives.

Mike Danko, a plaintiff's lawyer in California, said the airline's "admission may be relevant to the criminal case pending in Germany."

"In the U.S., the criminal justice system is meant to punish, not compensate," he said. "In Europe, it's different. So the admission may lead to more compensation for the families beyond that which is available through the Montreal Convention."

French prosecutors have said that voice recordings and other data show that Mr. Lubitz was at the controls of the plane, did not let the captain back into the cockpit after he stepped out to use the bathroom, and set the plane on a course to crash into the mountains as the captain frantically tried to break through the door.

The German daily newspaper **Bild** and the French magazine **Paris Match** claimed on Tuesday to have viewed shaky video footage of the chaotic final seconds of the flight. An individual with knowledge of the investigation expressed doubts about the video's veracity.

Lufthansa's reputation as one of the world's safest airlines is likely to be tarnished at a time when the company is already under intense pressure from new long-haul competitors and budget airlines within Europe.

The acknowledgment that the airline knew about Mr. Lubitz's depression could also spur outrage in Germany toward one of the country's signature companies. Nearly half of the victims were Germans, and the plane was bound for Düsseldorf. The passengers included 16 high school students from Haltern am See, a town north of Düsseldorf.

An official who has been briefed on the investigation said that only one set of remains from the crash site had been positively identified so far: those of Mr. Lubitz, 27. President François Hollande of France, speaking to reporters in Berlin after a meeting with Chancellor Angela Merkel, said he was optimistic that all of the victims could be identified by the weekend, but officials involved said they expected it to take significantly longer.

Even before the Lufthansa statement Tuesday, questions about Mr. Lubitz's mental health had provoked a debate about whether new measures would be needed to ensure that airlines are aware of pilots' medical history. A

representative of the union that represents German flight attendants cautioned that strict rules might backfire by causing some employees to avoid seeking treatment.

“I would warn against making the crew into completely transparent people,” said Christoph Drescher, a representative of the Independent Flight Attendants Organization, known by its German initials, U.F.O. “That would just mean that someone would not go to a doctor.”

The current system largely relies on pilots to report any medical or psychological problems they may have suffered.

Mr. Lubitz had an intense love of flying from an early age. He began flying gliders when he was 14 and dreamed of becoming a commercial airline pilot. He was admitted out of high school into Lufthansa’s prestigious flight school, where he began training to fly commercial jets. But as Lufthansa officials had previously announced, he broke off his training for several months.

Prosecutors here in Düsseldorf announced on Monday that Mr. Lubitz had been treated by psychotherapists “over a long period of time,” but did not specify when that had occurred.

Officials with knowledge of the investigation said that in addition to his struggles with depression, Mr. Lubitz had sought treatment for vision problems that might have jeopardized his ability to continue working as a pilot. The trouble with his eyes may have been psychosomatic, as prosecutors said there was no physical problem with his health.

Still, personal writings found in a search of his home indicated that before the deadly crash, the young pilot was deeply afraid of losing his job because of his vision and mental health issues.

Nicholas Kulish reported from Düsseldorf, and Jack Ewing from Frankfurt. Melissa Eddy contributed reporting from Berlin, Nicola Clark from Paris, and Jad Mouawad from New York.

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